

February 11, 1975

SPEAKER: Senator Dworak, before I recognize you I think I had better get out of the Chair because I am going to go to a procedure question on these and it might not be fair that I would rule but I would rule by what is in the books so, maybe, Senator Burbach should come forward.

SPEAKER BURBACH PRESIDING

SPEAKER: The chair recognizes Senator Simpson.

SENATOR SIMPSON: Mr. President, these motions have been adopted and, so then, I would assume, under the Rules on Rule 7, page 45, section 7 on reconsideration, that this would come under that section and then under that section, it says that such reconsideration shall come up the same day or the following legislative day and the amendment was adopted on the 5th day of February and so we have had more than one intervening day. So I would assume the motion, then, would be out of order.

SPEAKER: Senator Duis, would you come up this way, please. The Legislature will come to order, please. Senator Simpson, will you repeat your opposition on your Rule change there, on the procedure we are in now.

SENATOR SIMPSON: Mr. President, my objection is that the amendment to LB 82 as written says strike the Duis amendment and the Duis amendment was adopted 2/5/75 and so then in objecting to doing this, I go to Rule 7, section 7 (a), second sentence which says a motion to reconsider must be made on the same day that the original question was decided or on the next legislative day and so I assume using the same amendment and asking now to strike it would be a reconsideration and so would have to have been done on the same day or the next day and so, at this time, would be out of order.

SPEAKER: The chair will sustain your position, Senator Simpson. The chair recognizes Senator Dworak. While we are attempting to find a solution to the amendment which is currently before us, I'd like the opportunity to introduce Pilar Alonde of Argentina, Constanges Segaron of Columbia. They are acquaintances and friends of Senator Cope. Would you please stand and be recognized.

CLERK: A motion on the desk, Mr. President.

SPEAKER: The clerk shall read.

CLERK: Mr. President, I move to return LB 82 to Select File for a specific amendment. Read. See Page 456, Journal. Signed Senator Dworak.

SPEAKER: Senator Dworak.

SENATOR DWORAK: Mr. President, members of the Legislature, essentially, what we are trying to attempt with this amendment is to keep the integrity, the initial integrity of LB 82. I feel that teachers do need protection, do need some protection where now they have no protection, as I sight the Schultz decision in the Dorchester case. I would like, also, to sight that superintendents should not be a part of this bill. Administrators should be more responsive to the school boards than teachers. It's a basic difference between management and labor, between an employer and an employee. I think the Legislature's intent of this is rather obvious when